



**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

1000 Washington Street, Suite 820  
Boston, MA 02118-6500  
(617) 305-3580  
www.mass.gov/dtc

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

GREGORY BIALECKI  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

BARBARA ANTHONY  
UNDERSECRETARY  
OFFICE OF CONSUMER AFFAIRS AND  
BUSINESS REGULATIONS

GEOFFREY G. WHY  
COMMISSIONER

***Ex Parte***

February 24, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

***Re: Reply to Oppositions to the DC PSC's Petition for Reconsideration; WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WT Docket No. 10-208***

Dear Ms. Dortch:

On December 28, 2011, the Public Service Commission of the District of Columbia ("DC PSC") filed a Petition for Reconsideration ("Petition") on the comprehensive order released on November 18, 2011, in the above-referenced dockets. Specifically, the DC PSC requested that the Federal Communications Commission ("Commission") reconsider its decision to permit price cap local exchange carriers ("LECs") to determine the allocation of eligible recovery for intercarrier compensation at the holding company level. The DC PSC offered the Commission three alternative options "[t]o eliminate the inequity" created by the Commission: (1) replace the rule "with a provision that would require calculation of Eligible Recovery be performed by price cap LECs at the study area level;" (2) amend the rule "to prohibit price cap holding companies from permitting recovery of the lost intrastate access revenue from jurisdictions in which there is no lost intrastate access revenue;" or (3) waive application of the rule "to jurisdictions that have no lost intrastate access revenue."<sup>1</sup> The Commission released a Public Notice on February 3, 2012, informing interested parties that oppositions to Petitions for Reconsideration were due on February 9, 2012, and replies to the oppositions were due on February 21, 2012.<sup>2</sup>

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<sup>1</sup> DC PSC Petition at 6.

<sup>2</sup> *Comment Cycle Established for Oppositions and Replies to Petitions for Reconsideration of the USF/ICC Transformation Order*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WT Docket No. 10-208, Public Notice, DA 12-130 (rel. Feb. 3, 2012).

In comments filed today responding to the Commission's November 18, 2011, Public Notice, the Massachusetts Department of Telecommunications and Cable ("MDTC") offers substantial support to the DC PSC's Petition. To minimize duplication of argument and in lieu of a reply to particular oppositions filed against the DC PSC's Petition, the MDTC respectfully submits its February 24 comments. A copy of these comments is included with this letter.

Pursuant to Section 1.1206 of the Commission's rules, this *ex parte* is being filed electronically via ECFS with your office. Please contact Ms. DeYoung Phillips directly at (617) 368-1141 should you have any questions.

Sincerely,

/s/ Paul Abbott

Paul Abbott  
General Counsel

/s/ Karlen Reed

Karlen Reed  
Director, Competition Division

/s/ Kerri DeYoung Phillips

Kerri DeYoung Phillips  
Counsel, Competition Division  
[Kerri.DeYoung@state.ma.us](mailto:Kerri.DeYoung@state.ma.us)

Massachusetts Department of  
Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Enc. (MDTC February 24, 2012, Comments)

cc: Victoria Goldberg, FCC  
Amy Bender, FCC  
Cary Hinton, DC PSC  
Richard Beverly, DC PSC  
Veronica Ahern, DC PSC